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Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
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Note verbale dated 30 March 2001 from the Permanent Observer Mission of Switzerland to the United Nations addressed to the secretariat of the Preparatory Committee, transmitting working papers on the revised draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

The Permanent Observer Mission of Switzerland to the United Nations presents its compliments to the secretariat of the Preparatory Committee for the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and requests it to circulate the attached working papers (see annexes I and II) as official documents of the Committee.

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Annex I

Interpretative statement on section II, paragraph 4, of the draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

Working paper submitted by Switzerland

1. Effective control over the legal manufacture, stockpiling, transfer and possession of small arms and light weapons is an important prerequisite for drawing a clear line between the legal and the illegal nature of the respective activities. It is our understanding that the measures contained in paragraph 4 of section II serve the purpose of preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects as stated in paragraph 1 of section II.

2. Consequently, the establishment of adequate laws, regulations and administrative procedures to exercise effective control over the possession of small arms and light weapons aims primarily at preventing and reducing the diversion of such weapons into illicit channels. That is to say that Swiss legislation places emphasis on the regulation of the acquisition of small arms and light weapons, rather than on possession as such. Switzerland understands its respective national legislation and practice to be fully in line with the purpose mentioned above, namely to prevent the illicit transfer of small arms and light weapons.

Annex II

Proposed amendments to the draft Programme of Action (A/CONF.192/PC/L.4/Rev.1)

Working paper submitted by Switzerland

Preamble

Paragraph 11

Believing that Governments bear the primary responsibility for solving the problems associated with the illicit trade in small arms and light weapons in all its aspects;

New paragraph 11 bis

Urging Governments to intensify their efforts to develop an understanding of the problems associated with the illicit trade in small arms and light weapons in all its aspects and of practical ways of addressing them;

Paragraph 16, footnote 1

We request that the following events be added to the list of initiatives undertaken at the regional and subregional levels:

- NATO/EAPC Workshop on Small Arms and Light Weapons: Export Controls and Transfers, Brussels, 16-17 March 2000;
- Second Ministerial Meeting of the Human Security Network, Lucerne, Switzerland, 11-12 May 2000;
- EAPC/PfP Workshop in support of the South-East Europe Initiative (SEEI) on Regional Cooperation in South-East Europe and the Challenge of Small Arms and Light Weapons, Ohrid, the former Yugoslav Republic of Macedonia, 22-23 June 2000;
- NATO/EAPC Experts Workshop on Export Control of Small Arms and Light Weapons, Brussels, 21 November 2000;
- Workshop on Traceability of Small Arms and Light Weapons: Tracing, Marking and Record-keeping, Geneva, 12-13 March 2001;
- PfP Training Course on Stockpile Management and Security of Small Arms and Light Weapons, Brugg, Switzerland, 28 May-1 June 2001;
- Workshop on Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in OSCE and in EAPC, Baku, 21-22 June 2001.

Section II

Paragraph 9

Switzerland supports the inclusion of export criteria as contained in the OSCE document on small arms and light weapons (A/CONF.192/PC/20, sect. III.A, paragraph 2 (a), (b) and (c)).

Paragraph 13

To supply small arms and light weapons only to Governments or to entities duly authorized by Governments.

Paragraph 34

To support the disarmament and demobilization of ex-combatants, including child soldiers, and their subsequent rehabilitation and reintegration into civil society ...

Paragraph 35

Switzerland supports the proposed text, which requests the development of international arrangements and of an international legally binding instrument to enable the timely and reliable tracing of small arms and light weapons. Switzerland suggests adding the words "of small arms and light weapons" after the words "lines of supply". Switzerland also supports the inclusion of a timeline.

Paragraph 37

Switzerland supports the inclusion of language reflecting a political commitment to negotiate an international legally binding instrument on brokering.